



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

February 2, 2022

The Honorable Tiffany Sanderson
Secretary of Education
South Dakota Department of Education
800 Governors Drive
Pierre, South Dakota 57501

Dear Secretary Sanderson:

I am writing in response to South Dakota's request to the U.S. Department of Education (Department) on February 3, 2021, and November 2, 2021, to amend its approved consolidated State plan under the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act. Prior to implementing any revisions to its approved consolidated State plan, a State must submit its proposed amendments to the Department for review and approval.

I have determined that the amended request meets the requirements in the ESEA and, for this reason, I am approving South Dakota's amended State plan. A summary of South Dakota's amendment is enclosed. This letter, as well as South Dakota's revised ESEA consolidated State plan, will be posted on the Department's website. Any further requests to amend South Dakota's ESEA consolidated State plan must be submitted to the Department for review and approval.

Please be aware that approval of this amendment to South Dakota's consolidated State plan is not a determination that all the information and data included in the amended State plan comply with Federal civil rights requirements, including Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and requirements under the Individuals with Disabilities Education Act. It is South Dakota's responsibility to comply with these civil rights requirements.

Thank you for all of the work that the South Dakota Department of Education has put into its consolidated State plan under the ESEA. If you need any assistance regarding the implementation of your ESEA consolidated State plan, please contact Fatimah Abdullahi in the Office of School Support and Accountability at: OESE.TitleI-a@ed.gov.

Sincerely,

Ruth E. Ryder
Deputy Assistant Secretary for Policy and Programs
Office of Elementary and Secondary Education

Enclosure

cc: Matthew Gill, Administrator, Office of Assessment and Accountability

Amendment to the South Dakota Consolidated State Plan

The following is a summary of the South Dakota Department of Education's (SD DOE's) amendment request. Please refer to the U.S. Department of Education's website <https://oese.ed.gov/offices/office-of-formula-grants/school-support-and-accountability/essa-consolidated-state-plans/> for South Dakota's complete consolidated State plan.

Title I, Part A: Improving Basic Programs Operated by Local Educational Agencies

- *Subgroups:*
SD DOE will no longer use the "Gap" and "Nongap" subgroups for purposes of accountability and reporting.
- *Minimum N-size:*
SD DOE clarified that for indicators that use multiple years' worth of data, it will apply an n-size of 10 for the current tested year prior to aggregating multiple years' worth of data.
- *Academic Achievement– Long Term Goals:*
SD DOE amended the year of its baseline data from 2016-2017 to 2017-2018 and made corresponding changes to its long-term goals and measurements of interim progress. SD DOE maintained the same methodology for calculating its five- and ten-year long-term goals and measurements of interim progress (MIPs) as described in its previously approved consolidated State plan.
- *Graduation Rate – Long Term Goals:*
For its graduation rate long-term goals, SD DOE changed the year of its baseline data from 2016-2017 to 2017-2018 and made corresponding revisions to its long-term goals and MIPs.
- *English Language proficiency (ELP) Long Term Goals:*
For its progress in achieving English language proficiency (ELP) long-term goal, SD DOE changed the year of its baseline data from 2016-2017 to 2017-2018 and made corresponding revisions to its long-term goals and MIPs.
- *Progress in Achieving ELP Indicator*
SD DOE updated its calculation of the progress in achieving ELP indicator or a school that does not meet the minimum n-size of 10 such that if the LEA serves 10 or more English learners (ELs) in the current year, that school will receive points based on all EL students in the LEA. If an LEA does not meet the n-size of 10, the points for the ELP indicator will be evenly redistributed to the other academic indicators. SD DOE also updated its criteria for students with at least one previous ELP assessment score and for first-identified students (students without a previous SD-ELP test score).
- *Alternate Methodology:*
SD DOE updated its alternate methodology for a school with no tested grades that is identified for targeted support and improvement (TSI) based on the State assessment data of its feeder school; SD DOE clarified that that school may apply to the SEA with the results of a needs analysis showing that the designation is in error. SD DOE also revised its plan to be www.ed.gov

clear that the small school audit it uses as its alternate accountability methodology is only for schools that do not meet the State's minimum n-size and for which accountability data are not available.

- *TSI-Consistently Underperforming Subgroups:*
SD DOE updated its methodology for identifying targeted support and improvement schools based on consistently underperforming subgroups (TSI). Specifically, SD DOE defines consistent underperformance as any subgroup that is performing below the statewide average performance for that subgroup for each indicator over a period of three years. SD DOE also clarified that schools that are identified for CSI will not also be identified for TSI. Finally, SD DOE also revised its methodology to remove the application of a confidence interval when identifying TSI schools.
- *CSI-Low Graduation Rate:*
SD DOE clarified that it will use the four-year adjusted cohort graduation rate to identify CSI schools based on low graduation rate.
- *TSI-Additional Targeted Support and Improvement (ATSI):*
SD DOE revised its methodology for identifying ATSI schools. Specifically, SD DOE removed the requirement that an ATSI school is identified based on three years of data. The State also revised its methodology to remove the application of a confidence interval when identifying ATSI schools.
- *ATSI Exit Criteria*
SD DOE clarified that it will designate for CSI any Title I school that is identified as ATSI and has not met the exit criteria after four years. Previously, SD DOE's plan mistakenly referred to TSI schools in this section, rather than ATSI schools. SD DOE also removed from its ATSI exit criteria that schools are able to petition to exit status early if they meet the exit criteria and its measurements of interim progress.
- *CSI Exit Criteria*
SD DOE removed from its CSI exit criteria that schools are able to petition to exit designation early if they meet the exit criteria and the State's measurements of interim progress.
- *Resource Allocation*
SD DOE revised its process for periodically reviewing resource allocations to support school improvement in each LEA in the State serving a significant number or percentage of schools identified for comprehensive or targeted support and improvement. The State will provide each such LEA with a technical advisor to identify resource inequities and address them in a school-level action plan.
- *Disproportionate Rate of Access to Educators*
SD DOE changed the number of years used for evaluating teacher data from three years to two years. SD DOE also revised its definition of disproportionate rate of access to educators. Now, the State will evaluate a school's rate in inexperienced, out-of-field, and ineffective

teachers compared to the average percentage (plus one standard deviation) of teachers in the category across the State.

Title I, Part C: Education of Migratory Children

- *Supporting Needs of Migratory Children*
 - SD DOE removed the seven State goals for all students and updated its ESEA consolidated State plan with four performance targets based on the State performance indicators for all students and the results of the Migrant Education Program (MEP) comprehensive needs assessment (CNA). Targets are for the 2023-24 academic year and cover the following areas: graduation rate, school readiness, language arts and math proficiency, and English language proficiency.
 - SD DOE removed two sentences that cited proficiency percentages and graduation rate for English learners.
 - SD DOE replaced 10 recommended service strategies with 15 currently recommended service strategies.
 - SD DOE replaced seven previous measurable program objectives and outcomes (MPOs) with 11 current MPOs and stated the current MEP Service Delivery Plan will be updated to include MPO 11 (dropout rate).
- *Use of Funds*

SD DOE removed reference to funding for consortiums and the factors considered for allocating funds to consortia.

Title III, Part A: English Language Acquisition, Language Enhancement, and Academic Achievement

- *Title III Entrance and Exit Criteria*

SD DOE added an alternative path for English learners (EL) to exit EL status. An EL can exit EL status either by achieving an overall composite score of 5.0 on the SD-ELP or by achieving a score between 4.0 and 4.9 on the SD-ELP and a score of 3 or 4 on the State's reading/language arts assessment. SD DOE made corresponding changes to other sections of its State plan that reference the required score on the ELP assessment for proficiency, including progress in achieving ELP long-term goals and measurements of interim progress, and the progress in achieving ELP indicator. SD DOE also amended its plan to delete language that allowed ELs who are students with the most significant cognitive disabilities to be exited from EL status if the EL team and the IEP team (as applicable), including parents or guardians, determine the student has plateaued in his or her growth because the student has reached diminished progression.